

THE
TROJAN HORSE
OF THE
Presbyteriall Government
VNB OVVELLED.

Wherein is contained,

- I. *The power of the Presbyterian Government.*
 - II. *The persons in whom this power is placed.*
 - III. *The exercise of the Presbyterian power in Scotland,
and the Lawes there imposed on the peoples necks.*
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Unbowelled.



Of the Scottish Form of Church-Government, I have observed, That it hath been the studious endeavour of many men to procure the establishment of it amongst us, as appears by the importunity of divers Petitions to that purpose presented to the Parliament; and that upon pretence, that they are thereto engaged by the Solemne League and Covenant.

I note also, That the Parliament hath artificially declined the establishment thereof, by ordaining Commissioners in every County to superintend the proceedings of the Presbyteries, and to receive Appeals from them, and by reserving the Supreme Power of the last sentence, in themselves: and that they have so firmly adhered to this their Ordinance, as that they could not be removed from their resolution by the most potent solicitations.

This great difference of judgement between persons so considerable, hath induced me to use my best diligence to understand the nature of that Government, about which they doe so perniciously disagree.

To that end, I have carefully informed my judgement, by considering the Frame of it, as it is set downe in that Modell of Discipline which is contained in their Psalme-Book, and in the

two Bookes of Discipline, and the Confession of their Faith: some of which I know, and all of them I beleve to be now the Muni-ments of that Church.

If they be, I think I have truly collected from them, that their Church-Government is pernicious to Civill Power, grievous to such as must live under it, and apt to disturb the common Peace: and that therefore those that are so earnest for it, (at the best) doe but aske they know not what, and that the Parliament have reason to deny their requests.

If they be not, they are the more to blame that seek to obtrude that yoke upon us, and inforce it by the obligation of an Oath, which they regard not before hand to acquaint us with, that we may knowingly (as men and Christians) resolve what is fit for us to doe.

Howsoever, I have determined to put into this Form, my Collections concerning that Government and Discipline, together with the Grounds from whence they are drawne, that they may be to my selfe a testimony, that I have not neglected the meanes of mine own information, & if any others shall happen to see them, that they (beholding at once the inference and the evidence) may pronounce as they shall find cause.

And I shall observe this order, to consider severally, First, the Power which the Scots challenge as due to their Form of Church-Government, and what Bounds they set betweene it and the Civill Power. Secondly, the persons in whom it is placed. Thirdly, the manner how it is exercised, and the Lawes which it imposeth on the people.

Of the Power of the Presbyterian Government.

THere are but two wayes to bound it, that it overflow not all. The one, the subordination of the Nationall Assembly to an Oecumenicall; and though I know nothing to the contrary, but that they acknowledge this subordination, yet no use can be made of it, (as things now stand) because in these sad divisions of Christendome, a generall Councell cannot be called: The other, the subordination thereof to the Civill Power, which being the onely meanes to keep them within their limits, it is necessary to consider what respect the Presbyterians give unto it.

it. They would seem to ascribe much to the Civill Magistrate, for they acknowledge, that the Civill Power is Gods Ordinance, which they that goe about to take a way, or confound, are enemies of mankind, and of Gods expresse will, that the Civill Magistrates are to be highly esteemed; that to them chiefly and principally the conservation and purgation of Religion appertaineth: and therefore it is sinfull to resist them. *Large Confes. of Faith, Artic. 25.*

They affirme, That the Ministers and others of the Ecclesiasticall Estate are subject to the Magistrate Civill in externall things: and that the Civill Power may command the Spirituall to doe their office, according to the Word of God. *2. Booke of Discip. Chap. 1.*

They say, It appertains to the Office of a Christian Magistrate, to make Lawes and Constitutions agreeable to Gods Word for the advancement of the Kirk, and Policy thereof, without usurping the power of the Keyes. *2 Booke of Dis. Chap. 10.*

Yet if the matter be well examined, it will be found that all these faire words are but like *Mercurius* piping to bring *Argus* asleep: For,

1. They challenge a power absolute and independent of the King, to convene in Assemblies at their owne pleasure, and to appoint the time and place themselves. Hear their own words.

“All the Ecclesiasticall Assemblies have power to convene lawfully together for treating of things concerning the Kirk, and pertaining to their charge. They have power to appoint times and places to that effect, and at one meeting to appoint the diet, time and place for another. *2. Booke of Discipline, Chap. 7.*

2. They claime power to themselves to make Constitutions Ecclesiasticall, without the consent of the Christian Magistrate.

“For this orders cause, they may make certaine Rules and Constitutions, appertaining to the good behaviours of all the Members of the Kirk in their vocation. *2. Book of Discipline, Chap. 7.*

3. They claim power to abrogate the Lawes of the Land touching Ecclesiasticall matters if they judge them hurtfull or unprofitable. For so they say,

“They have power also to abrogate and abolish all Statutes and
“Ordi-

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“ Ordinances concerning Ecclesiasticall matters, that are found
“ noysome and unprofitable, and agree not with the time, or are
“ abused by the people. 2. *Booke of Discipline, Chap. 7.*

4. They require the Civil Magistrate to be subject to this their
Power, “ To Discipline must all the Estates within this Realme
“ be subject, as well the Rulers as they that are ruled. 1. *Booke of
Discipline, Head 7.*

“ As the Ministers and others of the Ecclesiasticall State are
“ subject to the Magistrate Civill, so ought the person of the Ma-
“ gistrate be subject to the Kirk spiritually, and in Ecclesiasticall
“ Government. 2 *Booke of Dis. Chap. 1.*

“ As Ministers are subject to the judgement and punishment
“ of the Magistrate in externall things, if they offend, so ought
“ the Magistrates to submit themselves to the Discipline of the
“ Kirk, if they transgresse in matters of Conscience, and Religion.
Ibidem.

“ The Nationall Assemblies of this Countrey called com-
“ monly the Generall Assemblies, ought alwaies to be retain-
“ ed in their own liberty, and have their owne place; with pow-
“ er to the Kirk, to appoint times and places convenient for the
“ same: and all men, as well Magistrates as Inferiours, to be
“ subject to the judgement of the same in Ecclesiasticall causes,
“ without any reclamation or appellation to any Judge Civill
“ or Ecclesiasticall within the Realme. 2. *Booke of Discipline,
Chap. 12.*

“ The Princes and Magistrates not being exemed, and these
“ that are placed in the Ecclesiasticall Estate rightly ruling and
“ governing, God shall be glorified, &c. 2. *Booke of Discipline,
Chap. 13.*

“ If any man shall wonder how these insolent claimes can stand
with their former expressions, in favour of the Civill Magistrate;
let him know, that there be two Texts in their Booke of Dis-
cipline, that will open this myltery, and reconcile the contradi-
ction.

The first,

“ The Magistrate neither ought to preach, minister the Sa-
“ craments, nor execute the Censures of the Kirke; nor yet pre-
“ scribe any rule how it should be done, but command the Mini-
“ sters to observe the rule commanded in the Word, and punish
“ the

“the Transgressors by Civill means. The Ministers exercise not
“the Civill Jurisdiction, but teach the Magistrate how it should
“be exercised according to the Word. Chap. 1.

By this it appears, that all the power they allow the Civill
Magistrate in Church-affaires, is onely to be the Executioner of
their Decrees.

The second,

“Although Kings and Princes that be godly, sometimes by
“their own Authority when the Kirk is corrupted, and all things
“out of order, place Ministers, and restore the true servants of the
“Lord, after the example of some godly Kings of Juda, and di-
“vers godly Emperours and Kings also in the light of the New
“Testament: yet where the Ministry of the Kirk is once lawfully
“constitute, and they that are placed doe their office faithfully,
“all godly Princes and Magistrates ought to heare and obey their
“voice, and reverence the Majesty of the Son of God speaking in
“them. 2. *Booke of Dis. Chap. 10.*

This Text (I confesse) is fast and loose. For who shall be
Judge whether the Church be corrupted and all things out of or-
der, or whether the Ministry be lawfully constitute, and the
Office faithfully discharged? Shall the King? Their Practise
shewes that they will not allow that. Shall the Ministry be
Judge? Then the power given to Princes in a corrupted Church,
is just nothing: For sure, the Ministers will not condemne them-
selves.

If any thing of certainty can be made out of this Oracle, it
is this: That the Presbyterian Government must be supposed to
be the onely orderly Government, and all the proceedings of
it just: and Kings and Princes may claim a power to cast out any
other Government and set up that: but when that is once up,
they must then bee content with what the Assembly will allow
them.

5 To their Doctrine that it is unlawfull to resist the Civill Ma-
gistrate, they give these bounds, while he doth his duty, and go-
verneth as he ought.

“To disobey or resist any that God hath placed in Authority
“ (whilest they passe not over the bounds of their office) —

“we confesse or affirme to be sin, *Large Confes. Art. 15.*

“We confesse and avow that such as resist the supreme Power,
doing

doing that thing which appertaineth to his charge, doe resist Gods Ordinance, and therefore cannot be guiltlesse. *Large Confes. Art. 25.*

From these premisses I thinke the inference is good, that if the supreme power passe the bounds of his Office, if he doe not that thing which appertaineth to his charge, if he doe the contrary, if he mis-governe, then they hold resistance to be no sinne, nor the Subjects that resist him to be guilty of resisting Gods Ordinance.

It may be that the generall disaffection to Regall Power, in these distractions, may render some men lesse apprehensive of the dangerous consequences of this Doctrine, and the former Claimes; as supposing them to have no other drift, then to clip the wings of Royall Prerogative.

But this is a grosse and dangerous mistake: and whosoever shalbe envested with that Civill Power which shalbe taken from the King, be it the Parliament, or whosoever else, must looke to succeed him in the heavy enmity which this Presbyterian Power will exercise against the Civill Power (when it doth not comply with them) in what hands soever it be placed. For, these in-croachments of theirs are not upon the King, as distinguished from other Magistrates, but upon the Civill Magistrate in common, whosoever he be, as appears plainly by the former Testimonies.

So that if they have a minde to call a generall Assembly, though the King and Parliament finde it needlesse, or (in regard of circumstances of time, place, or distempered affections in the Ministers, or People) inexpedient, or dangerous; they will over-rule, though to the highest disservice of the State, and must be obeyed.

If they agree upon any Ecclesiasticall Constitutions and Canons, though the King and Parliament judge them never so contrary to the Lawes tending to the hurt of the Kingdome, yet must they yeeld to this Presbyterian Power.

If the King and Parliament make any Lawes concerning the affaires of the Church, which are not to their liking, they may repeale them.

The King and Parliament must be Subject not onely to their generall

generall Assembly, but (in subordination to that) to the Dictates of every petty Parochiall Session where their personall residence and abode shall be.

Lastly, If the King and Parliament will governe contrary to their will and pleasure, their principles will allow them to incite the people to resist them.

After so rank a crop of weeds, pernicious to Civill power, I know not what regard will be had to the gleanings: which (yet) would not be lost.

6 Therefore if the Civill Magistrate punish not with death such as in their judgement deserve it, they order that the Church may excommunicate the offender, not onely for his crime, but as suspect to have corrupted the Temporall Judge.

"If no remedy by them can be found, (that is by the Magistrates) then justly may the Church pronounce the offender excommunicate, as one suspect, besides his crime, to have corrupted the Judges, revengers of blood. *Order of excommunication in the Psalm Booke.*

So that if the Civill Judges thinke not fit to proceed against every one whom they hold a capitall offender, not only the reputed offender shall be excommunicate, but in the publication of the Sentence the Judges shall be openly defamed as corrupt, and that upon a suspicion thus weakly grounded.

7 They determine that the Temporall Magistrate is bound to punish Adultery with death, by Gods own Law.

"It is cleerly knowne to us, that N. sometimes baptized in the name of the Father, of the Sonne, and of the Holy Ghost, and so reputed and counted for a Christian, hath fearefully fallen from the society of Christs body, by committing of cruell and wilfull murther, (or by committing filthy Adultery, &c.) which crime by the Law of God deserveth death. *Order of Excom. in the Psalm Booke.*

"Blasphemy, adultery, murder, perjury, and other crimes capital worthy of death, ought not properly to fall under censure of the Kirk: because all such open transgressors of Gods Law ought to be taken away by the Civil Sword. *1. Book of Discip. Head 7.*

"Marriage, once lawfully contracted, may not be dissolved at mans pleasure as our Master CHRIST JESUS doth witnesse, unlessse adultery be committed: which being
B "suffici-

" sufficiently proved, in presence of the Civill Magistrate, the innocent (if they so require) ought to be pronounced free, and the offender ought to suffer death, as God hath commanded, 1. *Booke of Discip. Head 9. Sect. of Marriage.*

If this be true, then (for ought I see) we are bound to all the Judicall of *Moses* as well as to this which is one of them: as namely, to punish theft, not with death, but restitution; besides many other touching inheritances, purchases and other temporal things; which would cause infinite changes and confusions in our Temporall Lawes.

8. They hold it unlawfull for the Civill Magistrate to pardon capitall offenders.

" In the feare of God, we signifie unto your Honours, That whosoever perswades you that ye may pardon where God commandeth death, deceives your soules, and provokes you to offend Gods Majesty. 1. *Booke of Discip. Head. 9.*

This puts such a tie upon Princes, as robs them of the exercise of their noblest vertue, mercy; inclines offenders to be desperate, and in such distracted times as this, may prove destructive to the Kingdome.

9. They exact it as a duty of a Christian Magistrate, that if need require, hee maintaine the Ministry with his owne Rents.

" It pertaines to the Office of a Christian Magistrate—to see that sufficient provision be made for the Ministry, the Schooles, and the Poore: and if they have not sufficient to wait upon their charges, to supply their indigence, even with their owne Rents if need require. 2. *Booke of Discipline, Chap. 10.*

Compare but this with the power which the Presbyterians claime over the Civill Magistrate, and it will appeare, that their Discipline will allow them to be Judges, whether need require that the Ministry should be maintained out of the Kings Rents: and if they finde that it doe, then to pronounce that it is his office and duty to make the allowance, and to compell him to doe his office by the Churches censures, and warrant his Subjects to take Armes against him, if he shall obstinately refuse.

This is a compendious way for them to cut themselves large Castles out of the Kings Revenues.

10. They

10. They distinguish the object of Civill and Ecclesiasticall power, not by the matter it selfe which may be the same in both; but by the divers ends proposed by the severall powers.

"The Magistrate commandeth externall things for externall peace and quietnesse amongst the Subjects: the Minister handeth externall things, onely for conscience-cause. 2. *Booke of Discip. Chap. 1.*

Here both the Minister and Magistrate deale with the same externall things; and the difference is onely in the end. So that by their Platform they may deal with all Civil Causes for a Spirituall end, which the Pope usually expresses with this clause, *In ordine ad bonum Spirituale*; and these men (to the same effect) *In ordine ad bonum Ecclesie*. But both he and they doe by this distinction, usurp upon the Civill Magistrate;

Of the Persons in whom this Power is placed.

THis power is (in the Scottish Platforme) put into the hands, partly of the Ministers of the Parishes throughout the Kingdome, who admit no Superiority of one over another, but a parity and equality of all, and partly of Lay-Elders, who meddle not with the administration of the Word and Sacraments, but are chosen by the people out of every Parish to joyn with the Ministers in the Government of the Kirk: and all Government and Discipline, is exercised joyantly by them, by plurality of voices: in the severall Parishes by the Ministers and Lay-Elders of the same, who are subordinate to a Classis made up of the Ministers and Elders of the Parishes within the bounds thereof, as the severall Classes are to the Provinciaall Assembly, consisting of Ministers and Elders chosen out of every Classis within the Province, and Provinciaall Assemblies are in like manner subordinate to the Nationall Assembly consisting of such a number of Ministers and Lay-Elders as the same Assembly shall thinke fit, chosen out of all the Provinces of the Kingdome: and this Nationall Assembly (since Occumenicall Councells cannot be hoped for) acknowledgeth no Superiour upon earth. All these points (if things so much acknowledged need it) are proved by these ensuing Authorities.

The parity of Ministers,

"As to Bishops, if the name *Episcopus* be properly taken

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"ken, they are all one with the Ministers. 2. *Booke of Dis. Chap. 11.*

The conjunction of Lay-Elders with them in the Government.

"It is not necessary that all Elders be also Teachers of the Word: 2. *Booke of Dis. Chap. 6.*

"Their office is as well severally as conjunctly to watch diligently upon the flock committed to their charge, both publickly and privately, that no corruption of Religion or manners enter therein. *ib.*

"Their principall Office is to hold Assemblies with the Pastors, and Doctors (who are also of their number) for establishing of good order and execution of Discipline: unto the which Assemblies all persons are subject that remaine within their bounds. *ib.*

"In assembling the people, neither they without the Ministers, nor the Ministers without them, may attempt any thing. *Psalme Book Tit. Of the Elders, &c.*

"The Pastors or Ministers chiefe office standeth in preaching the Word of God, and ministring the Sacraments: so that in consultations, judgements, elections and other politicall affairs, his counsell rather then authority taketh place. *Ibid. Tit. of the Ministers office and duty.*

"The Elders being elected must be admonished of their office, which is, to assist the Ministers in all publique affaires of the Kirk, to wit, in determining and judging causes, in giving admonition to the licentious liver, in having respect to the manners and conversation of all men, within their charge.—

"Yea the Seniors ought to take heed to the like manners, diligence, and study of their Ministers: If he be worthy of admonition, they must admonish him; of correction, they must correct him, &c. 1. *Booke of Discip. 8. Head, Of the election of Elders, &c.*

Their election by the people.

"Men of best knowledge in Gods Word, and cleaneest life, men faithfull, and of most honest conversation, that can be found in the Kirk, must be nominate to be in election, and their names must be publickly read to the whole Kirk by the Minister, giving them advertisement that from amongst
"them

“them must be chosen Elders and Deacons. *Ibidem*;

“If any man know other of better qualities within the Kirk
“then these that be nominated, let them be put in election, that
“the Kirk may have the choice. *Ibid.*

“It pertaineth to the people, and to every severall Congrega-
“tion, to elect their Minister. 1 *Booke of Discipline*, 4 *Head*, Of
Ministers, &c.

“And because this order which Gods Word craves, cannot
“stand with Patronages and presentation to Benefices, used in
“the Popes Kirk: we desire all them that truly feare God, ear-
“nestly to consider, that for as much as the names of Patrona-
“ges and Benefices, together with the effect thereof, have flow-
“ed from the Pope, and corruption of the Canon Law onely, in
“so far as thereby any person was intrusted or placed over Kirks
“having *Curam animarum*: and for as much as that manner of
“proceeding hath no ground in the Word of God, but is contrary
“to the same, and to the said liberty of election, they ought not to
“have place in this light of Reformation. 2. *Book of Discip.*
Chap. 12.

The subordination of their Elderships, and Assemblies, and
how they share this power among them.

“Elderships and Assemblies are commonly constitute of Pa-
“stors, Doctors, and such as we commonly call Elders, that la-
“bour not in the Word and Doctrine, 2 *Book of Discip. Chap. 7.*

“Assemblies are of foure sorts. For, either they are of particu-
“lar Kirks and Congregations, one or moe; or of a Province, or
“of a whole Nation, or of all and divers Nations professing one
“Jesus Christ. *Ibid.*

“The first kind and sort of Assemblies, although they be within
“particular Congregations, yet they exerce the Power, Autho-
“rity, and Jurisdiction of the Kirk with mutuall consent, and
“therefore beare sometime the name of the Kirk. When we speak
“of the Elders of the particular Congregations, we mean not that
“every particular Parish-Kirk can or may have their own particu-
“lar Elderships, specially in Landward; but we think three, four,
“more or fewer particular Kirks may have one Eldership com-
“mon to them all to judge their Ecclesiasticall causes. Yet this is
“meet that some of the Elders be chosen out of every particular
“Congregation. *Ibid.*

“It

"It pertaines to the Eldership to take heed that the Word of
 "God be purely preached within their bounds, the Sacraments
 "rightly ministred, the Discipline rightly maintained, and the
 "Ecclesiasticall goods uncorruptly distributed. It belongs to
 "this kind of Assembly, to cause the Ordinances made by the
 "Assemblies Provinciaill, Nationall, and Generall to be kept
 "and put in execution. To make Constitutions which concerns
 "to ~~the~~ in the Kirk, for the decent order of these particular
 "Kirks where they governe, (provided that they alter no rules
 "made by Generall or Provinciaill Assemblies, and that they
 "make the Provinciaill Assemblies fore-seen of these Rules that
 "they shall make) and abolish them that tend to the hurt of the
 "same. It hath power to excommunicate the obstinate. The
 "power of election of them who beare Ecclesiasticall charges
 "pertaines to this kind of Assembly within their owne bounds,
 "being well erected and constituted of many Pastors and Elders
 "of sufficient ability. By the like reason their deposition also per-
 "tains to this kind of Assembly; as of them that teach erroneous
 "and corrupt Doctrine, that be of slanderous life, &c. *Ibidem.*

"Provinciaill Assemblies we call lawfull conventions of Pa-
 "stors, Doctors, and other Elders of a Province gathered for the
 "common affaires of the Kirk thereof. *Ibidem.*

"This Assembly hath power to handle, order, and redresse all
 "things committed or done amisse in the particular Assemblies.
Ibidem.

"And generally their Assemblies have the whole power of
 "the particular Elderships whereof they are collected, *Ibidem.*

"The Nationall Assembly which is Generall to us, is a law-
 "full Convention of the whole Kirks of the Realm. *Ibidem.*

"None are subject to repair to this Assembly to vote, but
 "Ecclesiasticall persons to such a number as shall be thought
 "good by the same Assembly. *Ibidem.*

"This Assembly is institute, that all things either committed
 "or done amisse in the Provinciaill Assemblies, may be redressed
 "and handled: and things Generally serving for the weale of
 "the whole body of the Kirk within the Realme, may be fore-
 "seen, intreated, and set forth to Gods glory. *Ibidem.*

"Now if the Presbyterian power it selfe be so pernicious as it
 "appears to be by what was said before, surely to put it into such
 hands

hands as by this Modell are to have it, must needs make all judicious and impartiall men much more averse from it.

For first, that it admits of no Superiority of one above another, but requires a parity of those that governe, is like to produce manifold inconveniences.

The resolutions both in publique affaires, and private mens causes will be very slow; because many men, will be of different judgements and affections: and such as are not soon brought to agree in one determination.

The difference of Opinions and Interests is like to breed factions and contentions.

The decisions are in danger to be often corrupt, because it is harder to find many men of skill and integrity then one.

These inconveniences are like to be bred by a parity of many Governours: and those that Episcopacy is accused of, are not likely to be removed by this parity, but augmented rather, for both reason and experience may teach us, that amongst many equals, popularity will make some one the leader of the rest; and he will offend more boldly then if he were indeed a Bishop, because howsoever he do amisse, yet he can excuse himselfe, and lay the blame upon others.

Secondly the mixture of Lay-men and Ministers together in the exercise of this power is of very dangerous consequence.

It is like to breed emulation between the Ministers and the Laity, while each one sides with his own order against the other.

Men grossely ignorant in matters of Divinity, must be Judges of Doctrine; and they that cannot in a small time be taught what heresie is, much lesse how to discern heresie from truth, determine of it, and others be bound to submit to their judgement.

Men whose education and imployment is either in the field, or the shop, of whom a wife man once said, That they should not be sought for in publique councill nor sit on the Judges seat, because they understand not the sentence of Judgement; men who neither know how to doe right if they would, nor would care for it if they knew it, (for where the minde that should rule is weake, the corrupt passions that should be ruled, breake out into all disorder:) These must be trusted with the making of Church-Lawes, and Government even of those things

things that concern the precious souls of men for whom Christ died; to say nothing of their quiet, their reputation, and their purses, which will be all exposed to those injuries that may be expected from blind malice, revenge, envy, covetousnesse, partiality, and insolence. All these mischiefs are the more to be feared, in regard of the distempers of this sad time, in which this Government is sought to be erected.

For those that are slaves to their corrupt affections, and apt to be transported by them, though they be not provoked, will much more violently pursue their bad designs, if power be then put into their hands, when they are chafed to so high a decree of acrimony,

This would the rather be thought of, because the entrance into any businesse of concernment as it is good or evill, lightly seasons the subsequent proceedings with the same relish: so that inconveniences brought in at the first setting of a Government, can hardly ever after be rooted out.

Thirdly, let it be considered what kind of persons stand fairest to be chosen for Lay-Elders.

If wee make our judgement herein, upon observation of those dispositions, which qualifie men for the peoples favour, we shall finde them to be, for the most part, either activenesse or greatnesse.

In some Parishes he can do most, who though he hath neither wealth, wit, nor honesty, is yet most active and busie: and if this be the choice, those will be trusted with the Spirituall power that are aptest to bring all to ruine and confusion.

But if greatnesse beare the sway, (as in most places it is like to do) then shall men of great estates and dealing in the world, great Landlords, Noble-men, and Gentlemen, be Lay-Elders: who will use their power to enthrall their Tenants, Dependents, and Inferiours to them, and bring the Yeomanry and Husbandmen of England to such a slavery, and vassallage under them, as that sort of men groane under in Scotland.

Fourthly, though Appeals may seem to afford some remedy, yet is that of little use, being a matter of so much trouble and charge to go from the Parish-Session to the Classis, and from thence to the Provinciall Assembly, and from thence to the Generall Assembly, before a man can come at the Parliament: so that very few men can make use of it.

Where=

Wherefore since Appaels leave the most men without remedy, it is a madnesse to make those men Judges in the first instance, that are so like to judge amisse.

Fifthly, the constitution of Generall Assemblies for the number of Ministers and Lay-Elders to be sent from the severall Presbyteries, being at the will of the same Assembly, is very uncertaine, and may surprise those that little dream of it, and take away all power from either the Ministers or the Layty before they be aware. For if in some one Generall Assembly practises shall prevaile to over-prise one part with a greater number of the other; that part that then gets all the power into their hands, will keep the other under irrecoverably: and of this mischife Scotland will afford an instance.

Lastly; in this forme of Government such a multitude of men have a share, that if they shall be found to abuse their power to the prejudice of the State, it will hardly ever be possible to get it out of their hands again.

For example, if Church-Government be put into the hands of the Ministers and Lay-Elders of almost 10000. Parishes, and thereby some inconveniences not yet fore-seen shal arise which shall induce the State to change it for another Forme: how shall they be able to wrest the power out of the hands of a Faction so numerous, who having found the sweet of Rule will bee loath to part with it?

Of the exercise of the Presbyterian Power in Scotland, and the Lawes there imposed on the peoples necks.

IT now remaineth that by considering their particular Lawes we shew how grievous the exercise of this Power will be to all sorts of men that live under it.

1. It hath been shewed already that the Presbyterian Government requireth that all Ministers be appointed by a popular election, and utterly dis-alloweth Patronages of livings that have cure of soules: which will be prejudiciall to the Nobility and Gentry, despoiling them of their inheritance.

And if any shall object that either in this or any other matter their practice differs from their rule, let him mark what caution is given in the Preface to the Bookes of Discipline. "To distinguish
betwixt the Kirks purpose and intention in every particular, and their
C

“their possibility to performe and practife as circumstances con-
 “curred, or were contrary : and he shall find that the practife pre-
 “vailles onely because they want power to alter it, and that they
 “will never rest satisfied, till they obtain their purpose.

2. They are no better friends to the Ministers, then to the No-
 bles and Gentry : for their Lawes provide that they shall be kept
 poore enough, to make both them and their Doctrine servile to
 the peoples humours.

“ Their Benefices must be changed into stipends.

“ That which is called the Benefice, ought to be nothing else
 “but the stipend of the Ministers that are lawfully called, 2. *Book*
of Discip. Chap. 3.

These stipends must be raised out of the rents of the Tithes
 which are paid to the Deacons by the owners, and out of them
 must the poore and the Schooles be provided for, as well as the
 Ministers.

“ We think it a most reasonable thing that every man have the
 “use of his owne Tiends, provided that he answer to the Deacons,
 “and Treasurers of the Kirk, of that which in justice shall be ap-
 “pointed unto him. We require the Deacons and Treasurers ra-
 “ther to receive the Rents then the Ministers themselves; because
 “that of the Tiends must not onely the Minister be sustained, but
 “also the poore and Schools. 1 *Booke of Discip. 6. Head, Of the*
Rents, &c.

Yea the second Book of Discipline, Chap. 12 goeth further, and
 will have the Kirk Rents divided in foure portions, whereof the
 Minister must be content with one, the other three to be for the
 Elders, Deacons, and other Kirk-Officers, Doctors, Schooles, the
 Poore, reparation of the Kirks, and other extraordinary charges
 for the Kirk and Common-wealth: The words I omit for brevity.

When all these collops are cut out, the Ministers part is partly
 taxed, and partly left to the curtesie of the Kirk.

“ It is thought good that every Minister shall have at least forty
 “bolls meale, twenty six bolls malt, to find his house bread and
 “drink, &c more, so much as the discretion of the Church finds ne-
 “cessary, besides mony for buying of other provision to his house,
 “and other necessities: the modification whereof is referred to
 “the judgement of the Kirk, to be made every yeare at the chusing
 “of the Elders and Deacons of the Kirk. 1. *Book of Discip. 5. Head,*
Of the provision for the Ministers, &c.

Their

Their Glebes if they exceed six Acres, they are content shall be detained.

"If any Glebe exceed six Acres of ground, the rest to remaine in the hands of the possessors till order be taken therein. 1. *Booke of Discip. the 6. Head.*

3 In general this Government insults upon the enslaved people with all sorts of heavy burdens and vexations.

When they have brought the Ministry into so poore a condition that few but the lowest of the people will willingly enter into it: then to supply that defect, they have Lawes to compell men to take that function upon them, and Parents to dedicate their children to it, by the censures of the Kirk and the Civill Power.

"Your Honours with consent of the Church are bound by your Authority to compell such men as have gifts and graces able to edifie the Church of God, that they bestow them where greatest necessity shall be knowne. 1. *Booke of Discipline, 4. Head. Of admission.*

"The rich and potent may not be permitted to suffer their children to spend their youth in vaine idlenesse, as heretofore they have done: but they must be exhorted, and by the censure of the Kirk compelled to dedicate their sons by good exercises to the profit of the Kirk and Common-wealth. 1. *Book of Discip. 5. Head. S^c t. Of the necessity of Schools.*

"And if any be found disobedient, and not willing to communicate the gifts and speciall graces of God with their brethren, after sufficient admonition, Discipline must proceed against them: Provided that the Civil Magistrate concur with the judgement and election of the Kirk. 1. *Book Discip. 9. Head, S^c t. For Prophecying.*

With them it is not enough that the younger sort be catechised before their first admission to the communion, but all persons must be held as children all their life long, and once a yeare at least be examined in the principles of Religion: which examination (to use the phrase of their own Book) is like to be sharp enough, to those that know not the wayes of molifying their Examiners.

"Of necessity we judge that every yeare at the least, publike examination be had by the Ministers and Elders of the knowledge of every person within the Kirk. 1. *Book of Discip. 9. Head. Of policy.*

Those that thought twenty six holy-dayes in a yeare a burthen

if this Government be brought in, must have one day in every week taken from them (besides the Sunday) and set apart for Sermons, and Prayers, from labour both by Masters and Servants, at least during the time of the publike Exercise.

“ Every week once let the Congregation assemble to hear some place of the Scriptures orderly expounded. *Psalm-Book*. SECT. Of the interpretation of the Scriptures.

“ In every notable town we require, that one day besides the Sunday be appointed to the Sermon, & Prayers: w^{ch} during the time of Sermon must be kept from all exercise of labour, as wel of the master as of the servant. 1. *Booke of Dis. 9. Head. Of Policy.*

Those that complained of the Bishops Courts once in three weeks as an intolerable vexation; if this Government be set up, must be yoked with a Consistory one day in every week: so that they shall have but foure dayes in seven free, to do their own businesse.

“ It is ordained that every Thursday the Ministers and Elders in their Assembly or Consistory, diligently examine all such faults & suspicions as may be espied, not onely amongst others, but chiefly amongst themselves. *Psalm-Booke*. SECT. Of the weekly Assembly, &c.

If a man be acquitted of Homicide by the Temporall Judge, the Presbytery holding him to be guilty, take upon them to impose satisfactions upon him at their discretion: which is both an affront to the temporal Judge, and a grievous vexation to the party, who perhaps is innocent, and maybe a pretence for them to put their hands in the Subjects purses, if they shal thinke fit, to require a pecuniary mulct for satisfaction.

“ If the offender abide an Assise, and by the same be absolved, then may not the Church pronounce excommunication: but justly may exhort the man, by whose hand the blood was shed: to enter into consideration with himselfe how precious is the life of man before God, and how severely God commandeth blood, howsoever it be shed except it be by the sword of the Migistrate, to be punished: and so may injoyne unto him such satisfactions to be made publike to the Church as may beare testification, of his obedience, and unfained repentance. *Psalm-Book*. In the order of Excommunication.

That this presumption of their putting their hands into mens purses is not groundlesse, may appear by another of their Constitutions, wherein they take upon them to tax damages upon capital offenders

offenders convict before the temporall Judge, and to moderate between the offender and the party offended, in that point.

“The sentence of excommunication once pronounced, the Church may not suddenly admit the murderer or convict adulterer to repentance and society of the faithfull, albeit that pardon be purchased of the Magistrate: but first ought inquisition to be taken, if the murderer have satisfied the party offended, that is, the kin and friends of the man slain: which if he hath not done, neither is understood willingly so to doe, the Church in no wise may heare him. But and if he be willing to satisfie, and the friends exceed measure and the possibilities of him that committed the crime, then ought the Church to put moderation to the unreasonable, in case the Civill Magistrate hath not done so before. *Psalm Book.* In the order of Excommunication.

By their Lawes they make such things punishable, as wil leave no man in safety with whom they have a mind to quarrel. If a man conforme not his words, his gestures, his expences, his diet, his apparell to their liking: nay, if they doe but suspect him to be inordinate in these things, they convent him, and admonish him, and if he obey not their admonitions, they thunder out the sentence of Excommunication against him.

“Wanton and vaine words, uncomely gestures, negligence in hearing the preaching, or abstaining from the Lords Table when it is publicly ministred, suspicion of avarice, or of pride, superfluity, or riotousnesse in chear or rayment: these we say and such others that of the world are not regarded, deserve admonition amongst the members of Christs body. — If he continue stubborn, then the third Sunday ought he to be charged publicly to satisfie the Church for his offence and contempt, under the pain of Excommunication, *Psalmes-Booke.* In the order of public Repentance.

This is an unheard of tyranny, when a man may neither order his estate, nor weare a garment, nor eat, nor speake, nor looke, but at their liking: yet this is not the worst, for these Lords paramount, take upon them to be Judges not only of externall things, but even in mens inward thoughts and affections too, if they be by any means discovered to them.

“The Magistrate handleth externall things onely, and actions done before men: but the Spirituall Ruler judgeth both inward affections,

“affections, and externall actions in respect of conscience, by the
“Word of God. 2. *Book of Dis. Chap. I.*

The Conclusion.

Out of that which hath been said, I conclude,

1 That this Form of Government would prove pernicious both to our King, Parliament, Ministry, and People : and that the relations that have been published of the Presbyterians affronts done to Regall power in Scotland, their contests with Parliaments, the confusions by them caused, and their injustice and tyrannic over the people : are very well consistent with their Principles.

2 That those who are so earnest to set up here that Government and Discipline, are therefore zealous for it because they know it not. For otherwise it is hardly possible that any that will know a thing so unlovely, should be so far in love with it.

Especially if we consider, that this which yet appears is but the Lions paw : his whole body is not yet seen, nor easie to be seen, but lies lurking (a great part of it) in the Registers of their Assemblies and Sessions never yet published to the world, so that all the judgment we can make of it is, that by the badnesse of that little that we see, we may suspect more of the rest which we see not.

For that there is yet much more unseen, let the Preface of the Books of Discipline bear witnesse.

“Under the name of Discipline is to be understood, not onely
“the particulars expressed in these two Books, but also the Acts,
“Constitutions, and Practices agreed upon and recorded in the
“Registers of the Generall and Provinciaall Assemblies, Presbyteries and Kirk-Sessions.

3 That the forwardnesse of the Scots to get it here established proceeds not (in probability) from any love they bear to the thing it self for its own sake : we may rather presume that themselves (except them whose turns are served by it) are weary of it.

Wherefore we have rather cause to suspect that there is something of *Ulysses* in it : and that they would bring it in upon us like the Trojan-Horse with the belly full of armed men, to take our Troy-novant ; that because they know it cannot here be settled without a War, nor that made without their assistance, they may use the help of our own hands to put their yoke upon our necks,
and

and give Law to our Nation, which they of late so much disdained to receive from us.

10 That the Parliament hath done very prudently in declining so constantly the erection of this Government. I wish that their Decree of Election had been as provident as this of reprobation. For I consider, that in that mixt form of Government which instead of it they have chosen for a time, they have not onely displeased the Presbyterians in that which they have denyed; but also the Brethren of the Congregationall Assemblies in divers things which they have granted: as namely, in excluding from their voice in the Election of Elders, those that are not satisfied of the lawfulnessse of taking the Covenant and Servants, as if difference of opinion could deprive men of those priviledges whetoe they have as good right as others that have no scruples, or as if in Spirituall things there were any difference between bond and free: In forbidding any to be chosen an Elder but where his dwelling and most residence is, whereas perhaps he cannot consent to be of that Congregation: In making those Judges and Tryers of Elections which are not Members of that Congregation where the election is made: In appointing a Subordination and Subjection of Congregationall Elderships to the Government of Classicall, Provinciall, and Nationall Assemblies, and making them Judges of Appeals from the other: In forbidding one Congregation to admit him that is suspended from another without their Certificate: In authorizing the Civill Power to judge Spirituall Causes, and in leaving the repentance and restoring of suspended Persons wholly to the discretion of the Presbyterian Eldership.

So, that this mixt Forme set up by the Parliament, may prove like the Interim of *Charles* the fifth, which being a middle way of Religion between the Protestants and Papists made to reconcile them, and compose differences till a means of more perfect union might be found out, displeased both sides, and by alienating them both from him, stopped the growing greatnes of that mighty Emperour. And the like effect may this English Interim produce, discontenting both the sides, and provoking them to faile the Parliament when they have most need of them.

Wherefore it would be considered, whether to avoid the difficulties, otherwise insuperable, it were not better to be content with that Government, which was before; which would certainly
con-

conciliate one side, and (if their professions may be believed) least displease the other two.

For, as for the alienation of the Bishops Lands from the Church; the hope whereof may perhaps make some men resolute to persist in the endeavour to root out that Order: let them but consider how the first Book of the Scots Discipline, 6. Head, requires them to bee retained in the use of the Kirk; how the second Book 9. Chapter determines, that the alienation thereof to prophane uses, is detestable Sacrilege before God, how their Psalme-Booke appoints it in one of their Formes of publique Prayer to be confessed as a grievous sin, how the Kirk of Scotland in their Declaration made since these times, renew their claime against the possessors: Lastly, what power the Presbyterian-Preachers will have over the consciences & affections of the multitude if that Government go up, and by the multitude against all that are not favoured by them: and they will easily conclude, that they cannot possesse them long in quiet.

F I N I S.